

SEP 04 2012

JULIA C. DUDLEY, CLERK  
BY: *J. Craft*  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

|                           |   |                                     |
|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, | ) | CASE NO. 7:09CR00027                |
|                           | ) |                                     |
|                           | ) |                                     |
| v.                        | ) | <u>FINAL ORDER</u>                  |
|                           | ) |                                     |
|                           | ) |                                     |
| JANICE MARIE CARTER,      | ) | By: James C. Turk                   |
|                           | ) | Senior United States District Judge |
| Defendant.                | ) |                                     |

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that this motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255, is

**DISMISSED** without prejudice, and this action is stricken from the active docket of the court.

Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

**ENTER:** This 30th day of August, 2012.

*James C. Turk*  
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Senior United States District Judge